

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HORACE CLAIBORNE, SONIJA
MONIQUE BOWLIN, TYSHAWN
WALKER, DAZRAE KAUHANE, WILLIE
SEALS, FREDERICK EPPICH, JEROME
SCHOOLFIELD, KRISTINA TRAVIS,
JEREMY WINKELS, DANIEL
FORRESTER, MARK DAVID GRIFFETH,
DOUGLAS RUSSELL, KENNETH
BURTON, GERALD GENSON, and
THOMAS DEPIESSE, on behalf of themselves
and others similarly situated,

Plaintiffs,

v.

FEDEX GROUND PACKAGE SYSTEM, INC.,

Defendant.

CIVIL ACTION

No. 2:18-cv-01698-RJC

**JOINT STIPULATION TO AMEND PROPOSED ORDER GRANTING DEFENDANT
FEDEX GROUND PACKAGE SYSTEM, INC.'S UNOPPOSED MOTION TO DISMISS
WITH PREJUDICE CERTAIN OPT-IN PLAINTIFFS WHO FAILED TO COMPLY
WITH THE COURT'S DECEMBER 7, 2021, DISCOVERY ORDER**

Plaintiffs and Defendant FedEx Ground Package System, Inc. hereby stipulate that Brandon Guymon, an opt-in Plaintiff who had previously been subject to FedEx Ground's Corrected Unopposed Motion to Dismiss with Prejudice Certain Opt-In Plaintiffs Who Failed to Comply with the Court's December 7, 2021, Discovery Order, Dkt. 348, should not be dismissed.

On February 10, 2022, Plaintiffs' counsel discovered that it had inadvertently not produced Mr. Guymon's signed opt-in questionnaire, which Mr. Guymon had signed in November 2021. The same day, Plaintiffs' counsel produced the questionnaire to FedEx

Ground, which has agreed to accept Mr. Guymon's response as complete. Accordingly, the parties agree that Mr. Guymon should not be dismissed.

Therefore, the parties respectfully request and stipulate that, in ruling on FedEx Ground's Motion, the Court should use the attached amended Proposed Order, rather than the Proposed Order previously filed at Dkt. 348.01.

Dated: February 11, 2022

Respectfully submitted,

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